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COLUMBIA POWER & WATER SYSTEMS

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April 18, 2005

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

via electronic filing

Re: American Cable Association Petition for Rulemaking, RM-11203

Dear Ms. Dortch:

I write to express CPWS's strong support for ACA's Petition. The impact of not being able to negotiate a "price" for retransmitting the signal of a network broadcast station will be extremely evident and costly this year. As broadcast network station owners primarily demand cash-for-carriage for the next three-year retransmission consent period beginning January 1, 2006, I estimate that the cost of the **Broadcast Basic** level of service in my cable system will rise from \$13.95 to \$16.20, an increase of \$2.25, and nearly an 18% percentage increase over what my consumers are paying today!

I am not requesting that the FCC prevent broadcasters from being able to charge a fair market price for their signal. But what I ask is that you give us the opportunity to shop competitively and find the best value for my customers. To date we have been asked to pay retransmit consent compensation for the following stations:

.25/sub/month WUXP-30 (UPN) Nashville, TN.

.25/sub/month WZTV-17 (Fox) Nashville, TN.

.25/sub/month WNAB-58 (WB) Nashville, TN.

(All are owned and operated by media giant Sinclair Broadcast Corporation.)

If we were allowed to obtain these networks from either a distant station or via a direct satellite feed we would be able to reflect significant savings from the cost of our Broadcast Basic service and pass those savings directly on to the consumer.

My customers tell me that they would be very reluctant to pay for these or any other "over the air" broadcast signals and would possibly seek service from a competitive provider should rates increase due to retransmission compensation charges. However they did indicate that they would be willing to view these networks from other markets if necessary.

By revising the network non-duplication rules and allowing us to provide network programming from another market (or source) if a local station elects transmission consent with a monetary demand, it ensures my customers will continue to receive

important network programming, while not paying a price that is artificially inflated because of unfair market protection used by local broadcasters who are not acting in the name of “localism”.

We also want the FCC to know, as a long ACA member and operator in the community where I live, my company is committed to local programming and the citizens (our subscribers) of this fine community. If a station elects retransmission consent and is willing to negotiate in good faith and allow us to shop the other market(s), we will put forth the best effort possible to retain the local station(s). As satellite companies prosper and broadcast stations are swallowed up by major ownership groups we will continue if at all possible to provide the finest in local programming available 24 hours a day. We understand the importance of local programming, but we also understand how much our customers are willing to pay for it. Please act on the ACA Petition as soon as you can.

Sincerely,

COLUMBIA POWER AND WATER SYSTEMS

_____/s/_____
Marvin Seward
Broadband Director